UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/690,611	10/23/2003	Imran A. Chaudhri	P3012-832	5910

62665 7590 12/11/2009

BUCHANAN INGERSOLL & ROONEY, PC
P.O. BOX 1404
ALEXANDRIA, VA 22313-1404

EXAMINER	
HEFFINGTON, JOHN M	

ART UNIT	PAPER NUMBER
2179	

NOTIFICATION DATE	DELIVERY MODE
12/11/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ADIPFDD@bipc.com

Office Action Summary	Application No.	Applicant(s)	
	10/690,611	CHAUDHRI, IMRAN A.	
	Examiner	Art Unit	
	JOHN HEFFINGTON	2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 July 2009*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *23,24,26-36,38-48 and 50-69* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *23, 24, 26-36, 38-48, 50-58 and 59-69* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

This action is in response to the amendment filed 16 July 2009. Claims 23, 24, 26-36, 38-48, 50-58 have been added. Claims 1-22, 25, 37, 49 have been canceled. Claims 59-69 have been added. Claims 23, 24, 26-36, 38-48, 50-58 and 59-69 are pending and have been considered below.

Response to Arguments

Applicant's arguments with respect to claims 23, 24, 26-36, 38-48, 50-58 and 59-69 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a guotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 23, 24, 26, 27, 34-36, 38, 39, 46-48, 50, 51, 58-62 and 69 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berman et al. (US 5,760,773) in view of IBM Research Disclosure 421100, Visual indication of system-versus-application 'busy' modality, hereinafter referred to as IBM.

1. – 22: (Canceled)

Claim 23: Berman discloses a computer readable recording medium having a computer program recorded thereon that causes a computer to control a display device to display containing a user interface and at least two different images of a cursor within the displayed user interface, for a computer, said user interface the computer program causing the computer to perform operations comprising:

a. displaying, in the user interface on the display device, a first image of the cursor, the first image of the cursor comprising which comprises a pointer arrow having a tail (column 21, lines 61-64, figures 11B, 11c);
b. receiving a control input containing an instruction to drag at least one object displayed in the user interface on the display device (column 15, lines 8-12);
c. controlling the display device to, upon receipt of the control input, switch the display of the first image of the cursor to a display of a second image of the cursor in the user interface, the second image of the cursor comprising a first hybrid cursor having a pointer arrow with a first variable graphic replacing the tail comprised in the first image; and (column 15, line 28-30, figure 4, [drag icons 40e, 40g]),

but does not disclose controlling the display device to display the variable graphic in the user interface as an alphanumeric representation relating to a parameter of a process, as disclosed in the claims. However, in the same field of invention, IBM discloses controlling the display device to display the variable graphic in the user interface as an alphanumeric representation relating to a parameter of a process (second paragraph

after SOLUTION, [a letter at the lower-right of the hourglass]). Therefore, considering the teachings of Berman and IBM, it would have been obvious to one having ordinary skill in the art at the time of the invention, to add controlling the display device to display the variable graphic in the user interface as an alphanumeric representation relating to a parameter of a process, as disclosed in IBM, to the teachings of Berman. One would have been motivated to add controlling the display device to display the variable graphic in the user interface as an alphanumeric representation relating to a parameter of a process, as disclosed in IBM, to the teachings of Berman in order to enable the user to distinguish different modalities related to an object being manipulated by the cursor (IBM: paragraph 3, [The problem]).

Claim 24: Berman and IBM disclose the computer-readable recording medium of claim 23, and IBM further discloses the computer program causes the computer to perform further operations comprising: determining when the first image of the cursor is positioned in the user interface over an object that is associated with an application in a busy state; and controlling the display device to switch the display of the first image of the cursor to the second image of the cursor upon determining that the first image of the cursor is positioned over the user interface object associated with the application in a busy state, as disclosed in the claims (Second paragraph after SOLUTION). Therefore, considering the teachings of Berman and IBM, it would have been obvious to one having ordinary skill in the art at the time of the invention, to add determining when the

first image of the cursor is positioned in the user interface over an object that is associated with an application in a busy state; and controlling the display device to switch the display of the first image of the cursor to the second image of the cursor upon determining that the first image of the cursor is positioned over the user interface object associated with the application in a busy state, to the teachings of Berman and IBM. One would have been motivated to add add determining when the first image of the cursor is positioned in the user interface over an object that is associated with an application in a busy state; and controlling the display device to switch the display of the first image of the cursor to the second image of the cursor upon determining that the first image of the cursor is positioned over the user interface object associated with the application in a busy state, to the teachings of Berman and IBM in order to enable the user to distinguish different modalities related to an object being manipulated by the cursor (IBM: paragraph 3, [The problem]).

25. (Canceled)

Claim 26: Berman and IBM disclose the computer-readable recording medium of claim 23, and Berman further discloses the computer program causes the computer to perform further operations comprising: determining when the second image of the cursor is positioned in the user interface over a destination object to which the at least one dragged object is to be copied; and controlling the display device to switch the display of the second image of the cursor to a display of including a third image of the

cursor in the user interface, upon determining that the second image of the cursor is positioned over the destination object to which the at least one dragged object is to be copied, wherein the third image comprising comprises a second hybrid cursor having consisting of a pointer arrow with a second variable graphic said replacing the tail comprised in the first image of the cursor, and the second variable graphic represents a copy operation, as disclosed in the claims (column 15, lines 43-49, figure 4, [40e]).

Claim 27: Berman and IBM disclose the computer readable recording medium of claim 26, and Berman further discloses the first variable graphic of said the second image of the cursor has a first color, and the second variable graphic of said the third image of the cursor has a color different from the first color, as disclosed in the claims (column 32, lines 16-19).

Claim 34: Berman and IBM disclose the computer-readable recording medium of claim 23, and Berman further discloses the first variable graphic of the second image of the cursor indicates that the at least one dragged object will be deleted, as disclosed in the claims (column 16, lines 9-13).

37. (Canceled)

Claims 35, 36, 38, 39 and 46: Claims 35, 36, 38, 39 and 46 disclose a method executed by the computer readable recording medium having a computer program recorded thereon of claims 23, 24, 26, 27 and 34 and are rejected along that same rational.

Claims 47, 48, 50, 51 and 58: Claims 47, 48, 50, 51 and 58 disclose a method for displaying a user interface executed by the computer readable recording medium having a computer program recorded thereon of claims 23, 24, 26, 27 and 34 and are rejected along that same rational.

Claims 59-62 and 69: Claims 59-62 and 69 disclose a computer processing device for executing the computer readable recording medium having a computer program recorded thereon of claims 23, 24, 26, 27 and 34 and are rejected along that same rational.

Claims 28-33, 40-46, 52-57, 63-68 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berman et al. (US 5,760,773) in view of IBM Research Disclosure 421100, Visual indication of system-versus-application 'busy' modality, hereinafter referred to as IBM, and further in view of Malamud et al. (US 2003/0142123 A1).

Claim 28: Berman and IBM disclose the computer readable recording medium of claim 26, but do not disclose the first variable graphic of said the second image of the cursor includes a quantitative value that represents a characteristic of the at least one dragged

object, as disclosed in the claims. However, in the same field of invention, Malamud discloses the first variable graphic of said the second image of the cursor includes a quantitative value that represents a characteristic of the at least one dragged object (paragraph 0059, figure 2L2, [41g]). Therefore, considering the teachings of Berman, IBM and Malamud, it would have been obvious to one having ordinary skill in the art at the time of the invention to add the first variable graphic of said the second image of the cursor includes a quantitative value that represents a characteristic of the at least one dragged object, as disclosed in Malamud, to the teachings of Berman and IBM. One would have been motivated to add the first variable graphic of said the second image of the cursor includes a quantitative value that represents a characteristic of the at least one dragged object, as disclosed in Malamud, to the teachings of Berman and IBM so that a user doesn't have to look at two different locations to determine the status of an object being manipulated by a cursor, which can be confusing and burdensome (Malamud: paragraph 0003).

Claim 29: Berman, IBM and Malamud disclose the computer readable recording medium of claim 28, and Malamud further discloses the second variable graphic of said the third image of the cursor includes said the quantitative value, as disclosed in the claims (paragraph 0059, figure 2L2, [41g]). Therefore, considering the teachings of Berman, IBM and Malamud, it would have been obvious to one having ordinary skill in the art at the time of the invention to add the second variable graphic of said the third image of the cursor includes said the quantitative value, as disclosed in Malamud, to the

teachings of Berman and IBM. One would have been motivated to add the second variable graphic of said the third image of the cursor includes said the quantitative value, as disclosed in Malamud, to the teachings of Berman and IBM so that a user doesn't have to look at two different locations to determine the status of an object being manipulated by a cursor, which can be confusing and burdensome (Malamud: paragraph 0003).

Claim 30: Berman and IBM disclose the computer-readable recording medium of claim 23, but do not disclose the first variable graphic of the second image of the cursor includes a quantitative value that represents a characteristic of the at least one dragged object, as disclosed in the claims. However, in the same field of invention, Malamud discloses the first variable graphic of said the second image of the cursor includes a quantitative value that represents a characteristic of the at least one dragged object (paragraph 0059, figure 2L2, [41g]). Therefore, considering the teachings of Berman, IBM and Malamud, it would have been obvious to one having ordinary skill in the art at the time of the invention to add the first variable graphic of the second image of the cursor includes a quantitative value that represents a characteristic of the at least one dragged object, as disclosed in Malamud, to the teachings of Berman and IBM. One would have been motivated to add the first variable graphic of the second image of the cursor includes a quantitative value that represents a characteristic of the at least one dragged object, as disclosed in Malamud, to the teachings of Berman and IBM so that a user doesn't have to look at two different locations to determine the status of an object

being manipulated by a cursor, which can be confusing and burdensome (Malamud: paragraph 0003).

Claim 31: Berman, IBM and Malamud disclose the computer-readable recording medium of claim 30, and Malamud further discloses the quantitative value indicates a number of objects that are being dragged, as disclosed in the claims (paragraph 0059, figure 2L2, [41g]). Therefore, considering the teachings of Berman, IBM and Malamud, it would have been obvious to one having ordinary skill in the art at the time of the invention to add the quantitative value indicates a number of objects that are being dragged, as disclosed in Malamud, to the teachings of Berman, IBM and Malamud. One would have been motivated to add the quantitative value indicates a number of objects that are being dragged, as disclosed in Malamud, to the teachings of Berman, IBM and Malamud so that a user doesn't have to look at two different locations to determine the status of an object being manipulated by a cursor, which can be confusing and burdensome (Malamud: paragraph 0003).

Claim 32: Berman, IBM and Malamud disclose the computer-readable recording medium of claim 30, and Malamud further discloses the quantitative value indicates the size of the at least one dragged object, as disclosed in the claims (paragraph 0059, figure 2L2, [41g]). Therefore, considering the teachings of Berman, IBM and Malamud, it would have been obvious to one having ordinary skill in the art at the time of the invention to add the quantitative value indicates the size of the at least one dragged

object, as disclosed in Malamud, to the teachings of Berman, IBM and Malamud. One would have been motivated to add the quantitative value indicates the size of the at least one dragged object, as disclosed in Malamud, to the teachings of Berman, IBM and Malamud so that a user doesn't have to look at two different locations to determine the status of an object being manipulated by a cursor, which can be confusing and burdensome (Malamud: paragraph 0003).

Claim 33: Berman, IBM and Malamud disclose the computer-readable recording medium of claim 30, and Malamud further discloses the first variable graphic of the second image of the cursor comprises a geometric object, and the size of the geometric object is dynamically varied to accommodate the quantitative value, as disclosed in the claims (figures 2E, 2F, [36D, 37E]). Therefore, considering the teachings of Berman, IBM and Malamud, it would have been obvious to one having ordinary skill in the art at the time of the invention to add the first variable graphic of the second image of the cursor comprises a geometric object, and the size of the geometric object is dynamically varied to accommodate the quantitative value, as disclosed in Malamud, to the teachings of Berman, IBM and Malamud. One would have been motivated to add the first variable graphic of the second image of the cursor comprises a geometric object, and the size of the geometric object is dynamically varied to accommodate the quantitative value, as disclosed in Malamud, to the teachings of Berman, IBM and Malamud so that a user doesn't have to look at two different locations to determine the status of an object being manipulated by a cursor, which can be confusing and

burdensome (Malamud: paragraph 0003).

Claims 40-46: Claims 40-46 disclose a method executed by the computer readable recording medium having a computer program recorded thereon of claims 28-33 and are rejected along that same rational.

Claims 52-57: Claims 52-57 disclose a method for displaying a user interface executed by the computer readable recording medium having a computer program recorded thereon of claims 28-33 and are rejected along that same rational.

Claims 63-68: Claims 63-68 disclose a computer processing device for executing the computer readable recording medium having a computer program recorded thereon of claims 28-33 and are rejected along that same rational.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOHN HEFFINGTON whose telephone number is (571)270-1696. The examiner can normally be reached on 8:30 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.usptogov. Should you have guestions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/SARA HANNE/
Primary Examiner, Art Unit 2179

JMH
11/30/09